IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DOSH COVERDALE, : CIVIL ACTION

Petitioner,

v. : NO. 06-3009

COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF PROBATION FOR CHESTER COUNTY, PENNSYLVANIA, et al.,

Respondents.

Respondenes.

<u>ORDER</u>

AND NOW, this day of , 2006, upon careful and independent consideration of the Petition for Writ of Habeas Corpus, and the Response thereto, and after review of the Report and Recommendation of United States Magistrate Judge Arnold C. Rapoport dated October 20, 2006, IT IS HEREBY ORDERED that:

- the Report and Recommendation is APPROVED and ADOPTED;
- 2. the Petition is DENIED without prejudice and DISMISSED without an evidentiary hearing; and
- 3. there is no probable cause to issue a certificate of appealability.

BY THE COURT:

EDUARDO C. ROBRENO, J.